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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,919	11/28/2001	Winston Donald Keech	46354.010500	7412

22191 7590 05/10/2006

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EXAMINER

DOAN, TRANG T

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 05/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/994,919	<b>Applicant(s)</b> KEECH, WINSTON DONALD	
	<b>Examiner</b> Trang Doan	<b>Art Unit</b> 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/01/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-27 have been examined.

#### *Priority*

2. The application is filed on 11/28/2001 but claims the benefit of foreign priority has been made and acknowledged.
3. Therefore, the effective filing date for the subject matter defined in the pending claims in this application is 11/28/2000 on the benefit of foreign priority date.

#### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 10, 12, 17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marvit et al. (US Patent 6625734) (hereinafter Marvit) in view of Patterson (US Patent 6389541) (hereinafter Patterson).

**Regarding to claim 1**, Marvit teaches a method of transferring a data file having a file name from a first computer operated by a first user to a second computer operated by a second user, under control of a third computer, comprising the steps of:

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i) in the first computer, the first user selecting a data file for transfer and establishing a communications link with the third computer (Marvit: see figure 1, column 4 lines 10-26);

ii) verifying an identity of the first user to the third computer by way of verification communications between the first and third computers (Marvit: see figure 1, column 5 lines 16-35);

iv) transmitting the file name of the data file from the first computer to the third computer, together with first user identification information and the unique key code (Marvit: column 4 lines 38-47 and column 5 lines 35-42);

vi) verifying an identity of the second user to the third computer by way of verification communications between the second and third computers (Marvit: see figure 1, column 5 lines 22-35);

vii) upon successful verification of the identity of the second user, transmitting the file name of the data file from the second computer to the third computer with a request for the unique key code (Marvit: see figure 1, column 5 lines 57-67 and column 6 lines 1-4); and

iii) Marvit teaches in the first computer encrypting the data file and transmitting the encrypted data file directly to the second computer with user identification information and the file name of the data file (Marvit: see figure 1, column 5 lines 22-27 and lines 35-56), Marvit does not explicitly disclose wrapping or encrypting the data file within an executable file adapted to unwrap or decrypt the data file only upon activation by a unique key code. However, Patterson teaches wrapping or encrypting the data file

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within an executable file adapted to unwrap or decrypt the data file only upon activation by a unique key code (Patterson: column 8 lines 7-19 and lines 49-67 and column 9 lines 1-18);

v) Marvit teaches in the second computer, upon receipt of the wrapped or encrypted data file and upon attempted access thereto by the second user, establishing a communications link with the third computer (Marvit: see figure 1, column 5 lines 22-35 and lines 57-67 and column 6 lines 1-4). Marvit does not explicitly disclose the executable file containing the wrapped or encrypt data file, however Patterson teaches the executable file containing the wrapped or encrypt data file (Patterson: column 8 lines 7-19);

viii) Marvit teaches transmitting the unique key code from the third computer to the second computer to unwrap or decrypt the data file and to allow access thereto in the second computer by the second user (Marvit: column 5 lines 57-67 and column 6 lines 1-4). Marvit does not explicitly disclose the unique key code causes the executable file to unwrap or decrypt the data file. However, Patterson teaches the unique key code causes the executable file to unwrap or decrypt the data file (Patterson: column 8 lines 7-19 and lines 49-67 and column 9 lines 1-8).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Patterson as stated above with the secure file transfer method and system of Marvit for wrapping the data file within the executable file because multimedia files may require significant time to download from the server on which they reside, due to the large size of the files and limited bandwidth of the

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network over which they must be sent. Thus, browsing the Web in real-time for viewing of digital content such as newspapers and movies may not be desirable or practical for many users. An alternative method is to package the content in a compressed, encrypted, self-extracting format and deliver it to the user's computer, and after the user has paid for the object, to allow access to the content at the user's computer (Patterson: column 8 lines 7-19).

**Regarding to claim 10**, Marvit in view of Patterson teaches wherein the third computer maintains a record of transactions between the first, second and third computers so as to permit an audit trail to be established (Marvit: column 3 lines 11-56).

**Regarding to claim 12**, this claim has limitations that is similar to those of claim 1, thus it is rejected with the same rationale applied against claim 1 above.

**Regarding to claim 17**, this claim has limitations that is similar to those of claim 1, thus it is rejected with the same rationale applied against claim 1 above.

**Regarding to claim 26**, the rejection of claim 17 is incorporated and further this claim has limitation that is similar to those of claim 10, thus it is rejected with the same rationale applied against claim 10 above.

2. Claims 2-7, 11, 13, 18-23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marvit in view of Patterson, and further in view of Goldfine et al (US Patent 5343529) (hereinafter Goldfine).

**Regarding to claim 2**, Marvit in view of Patterson does not explicitly disclose wherein the identity of the first user is verified in step ii) above by way of the first user applying a first user mask code to a pseudo-random security string in the first computer

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so as to generate a first user volatile identification code, the first user transmitting the first user volatile identification code to the third computer and the third computer comparing the first user volatile identification code with a first check volatile identification code obtained by applying the first user mask code to the pseudo-random string in the third computer, identity verification taking place when the first user volatile identification code and the first check volatile identification codes are found to match each other.

However, Goldfine teaches wherein the identity of the first user is verified in step ii) above by way of the first user applying a first user mask code to a pseudo-random security string in the first computer so as to generate a first user volatile identification code, the first user transmitting the first user volatile identification code to the third computer and the third computer comparing the first user volatile identification code with a first check volatile identification code obtained by applying the first user mask code to the pseudo-random string in the third computer, identity verification taking place when the first user volatile identification code and the first check volatile identification codes are found to match each other (Goldfine: column 4 lines 25-53).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Goldfine as stated above with the secure file transfer method and system and the method of regulating access to digital content of Marvit in view Patterson for verifying user's identity by applying a mask code to a pseudo-random security string to generate a volatile identification code because hackers seeking access to telecommunication and computer networks program their

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computers to try thousands of access codes in an attempt to find one that works. Once a successful code is found, the hacker can gain network access. Similar problems will exist for emerging interactive television services, such as entertainment and home shopping. Authentication techniques that use repeatedly transmitted access codes are susceptible to various sophisticated attacks. Some technique is needed to keep the attackers off balance. (Goldfine: column 1 lines 64-67 and column 2 lines 1-5).

**Regarding to claim 3**, Marvit in view of Patterson does not explicitly teach wherein the identity of the second user is verified in step vi) above by way of the second user applying a second user mask code to a first pseudo-random security string in the second computer so as to generate a second user volatile identification code, the second user transmitting the second user volatile identification code to the third computer and the third computer comparing the second user volatile identification code with a second check volatile identification code obtained by applying the second user mask code to a second pseudo-random string in the third computer, identity verification taking place when the second user volatile identification code and the second check volatile identification codes are found to match each other.

However, Goldfine teaches wherein the identity of the second user is verified in step vi) above by way of the second user applying a second user mask code to a first pseudo-random security string in the second computer so as to generate a second user volatile identification code, the second user transmitting the second user volatile identification code to the third computer and the third computer comparing the second user volatile identification code with a second check volatile identification code obtained

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by applying the second user mask code to a second pseudo-random string in the third computer, identity verification taking place when the second user volatile identification code and the second check volatile identification codes are found to match each other (Goldfine: column 4 lines 25-53).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Goldfine as stated above with the secure file transfer method and system and the method of regulating access to digital content of Marvit in view of Patterson for verifying user's identity by applying a mask code to a pseudo-random security string to generate a volatile identification code because hackers seeking access to telecommunication and computer networks program their computers to try thousands of access codes in an attempt to find one that works. Once a successful code is found, the hacker can gain network access. Similar problems will exist for emerging interactive television services, such as entertainment and home shopping. Authentication techniques that use repeatedly transmitted access codes are susceptible to various sophisticated attacks. Some technique is needed to keep the attackers off balance (Goldfine: column 1 lines 64-67 and column 2 lines 1-5).

**Regarding to claim 4**, Marvit in view of Patterson does not explicitly disclose wherein the first pseudo-random security string and the second pseudo-random security string are the same.

However, Goldfine teaches wherein the first pseudo-random security string and the second pseudo-random security string are the same (Goldfine: see figure 2, column 6 lines 29-55).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Goldfine as stated above with the secure file transfer method and system and the method of regulating access to digital content of Marvit in view Patterson for verifying user's identity wherein the first pseudo-random security string and the second pseudo-random security string are the same because using the first and second string to produce an authentication code which authenticates a transaction request in order to permit progress of a transaction based on a match (Goldfine: column 1 lines 9-11).

**Regarding to claim 5**, Marvit in view of Patterson does not explicitly disclose wherein the pseudo-random string is generated by the third computer and transmitted firstly to the first computer and then from the first computer to the second computer.

However, Goldfine teaches wherein the pseudo-random string is generated by the third computer and transmitted firstly to the first computer and then from the first computer to the second computer (Goldfine: see figure 2, column 4 lines 25-53).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Goldfine as stated above with the secure file transfer method and system and the method of regulating access to digital content of Marvit in view Patterson for verifying user's identity by sending the pseudo-random string from the third computer to the first and from first to the second because hackers seeking access to telecommunication and computer networks program their computers to try thousands of access codes in an attempt to find one that works. Once a successful code is found, the hacker can gain network access. Similar problems will

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exist for emerging interactive television services, such as entertainment and home shopping. Authentication techniques that use repeatedly transmitted access codes are susceptible to various sophisticated attacks. Some technique is needed to keep the attackers off balance (Goldfine: column 1 lines 64-67 and column 2 lines 1-5).

**Regarding to claim 6**, Marvit in view of Patterson does not explicitly disclose wherein the pseudo-random string is generated by the third computer and transmitted firstly to the first computer and then from the third computer to the second computer.

However, Goldfine teaches wherein the pseudo-random string is generated by the third computer and transmitted firstly to the first computer and then from the third computer to the second computer (Goldfine: see figure 2, column 6 lines 29-68 and column 7 lines 1-23).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Goldfine as stated above with the secure file transfer method and system and the method of regulating access to digital content of Marvit in view Patterson for verifying user's identity wherein the pseudo-random string is generated by the third computer and transmitted firstly to the first computer and then from the third computer to the second computer because hackers seeking access to telecommunication and computer networks program their computers to try thousands of access codes in an attempt to find one that works. Once a successful code is found, the hacker can gain network access. Similar problems will exist for emerging interactive television services, such as entertainment and home shopping. Authentication techniques that use repeatedly transmitted access codes are susceptible to various

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sophisticated attacks. Some technique is needed to keep the attackers off balance (Goldfine: column 1 lines 64-67 and column 2 lines 1-5).

**Regarding to claim 7**, Marvit in view Patterson does not explicitly disclose wherein the first pseudo-random security string and the second pseudo-random security string are different.

However, Goldfine teaches wherein the first pseudo-random security string and the second pseudo-random security string are different (Goldfine: column 6 lines 29-68 and column 7 lines 1-23).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Goldfine as stated above with the secure file transfer method and system and the method of regulating access to digital content of Marvit in view Patterson for verifying user's identity wherein the first pseudo-random security string and the second pseudo-random security string are different because hackers seeking access to telecommunication and computer networks program their computers to try thousands of access codes in an attempt to find one that works. Once a successful code is found, the hacker can gain network access. Similar problems will exist for emerging interactive television services, such as entertainment and home shopping. Authentication techniques that use repeatedly transmitted access codes are susceptible to various sophisticated attacks. Some technique is needed to keep the attackers off balance (Goldfine: column 1 lines 64-67 and column 2 lines 1-5).

**Regarding to claim 11**, Marvit in view of Patterson teaches wherein the first and/or second user volatile identification codes are stored as digital signatures in the

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third computer in combination with the associated pseudo-random security string (Marvit: column 17 lines 42-59).

**Regarding to claim 13**, the rejection of claim 12 is incorporated and further this claim has limitation that is similar to those of claim 2, thus it is rejected with the same rationale applied against claim 2 above.

**Regarding to claim 16**, Marvit in view of Patterson teaches a method of transferring a data file to a first computer having a first telecommunications address from a second computer having a second telecommunications address, comprising the steps of:

i) transmitting a request for the data file from the first computer to the second computer, the request including data identifying the data file and the first telecommunications address (Marvit: see figure 1, column 4 lines 38-40 and column 8 lines 20-27);

ii) in the second computer, wrapping or encrypting the data file within an executable file adapted to unwrap or decrypt the data file only upon activation by a unique key code (Patterson: column 8 lines 7-19 and lines 49-67 and column 9 lines 1-18);

iii) assigning a unique identification string to the executable file in the second computer, the unique identification string being further associated in the second computer with the first telecommunications address (Patterson: see figure 5, column 8 lines 20-63);

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iv) transmitting the executable file (containing the data file) and the unique identification string from the second computer to the first computer (Patterson: see column 8 lines 36-48);

xi) transmitting the key code to the first computer so as to enable the executable file to unwrap or decrypt the data file and to install this on the first computer (Marvit: column 12 lines 47-67 and column 13 lines 1-2).

Marvit in view Patterson does not explicitly disclose wrapping the data file within the executable file and verifying user's identity by combining the pseudo-random string with a mask code to generate a volatile identification code. However, Goldfine teaches:

v) causing a message to be displayed by the first computer showing the unique identification string and requesting a user to call a predetermined telephone number from a telephone operated by the user (Goldfine: column 4 lines 25-44);

vi) receiving a telephone call from the telephone operated by the user, determining its telephone number and receiving the unique identification string from the user (Goldfine: column 4 lines 25-44);

vii) in the second computer, generating a pseudo-random string, associating the pseudo-random string with the unique identification string and the telephone number of the telephone operated by the user, and transmitting the pseudo-random string to the telephone operated by the user (column 4 lines 25-53);

viii) applying a mask code, known to the user and to the second computer, to the pseudo-random identification string so as to generate a volatile identification code in

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accordance with predetermined rules (Goldfine: column 6 lines 29-68 and column 7 lines 1-23);

ix) transmitting the volatile identification code to the second computer, either from the telephone operated by the user in which case the volatile identification code is transmitted together with the telephone number of the telephone operated by the user, or from the first computer in which case the volatile identification code is transmitted together with the first telecommunications address, the telephone number or the first telecommunications address respectively serving to identify the first computer, the user and the executable file (Goldfine: column 4 lines 40-53);

x) in the second computer, checking that the volatile identification code matches a volatile identification code generated therein by applying the mask code to the pseudo-random string and (Goldfine: column 4 lines 45-53 and column 6 lines 29-55), if so;

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Goldfine as stated above with the secure file transfer method and system and the method of regulating access to digital content of Marvit in view Patterson for wrapping the data file within the executable file and verifying user's identity by applying a mask code to a pseudo-random security string to generate a volatile identification code because hackers seeking access to telecommunication and computer networks program their computers to try thousands of access codes in an attempt to find one that works. Once a successful code is found, the hacker can gain network access. Similar problems will exist for emerging interactive television services,

such as entertainment and home shopping. Authentication techniques that use repeatedly transmitted access codes are susceptible to various sophisticated attacks. Some technique is needed to keep the attackers off balance (Goldfine: column 1 lines 64-67 and column 2 lines 1-5).

**Regarding to claim 18**, the rejection of claim 17 is incorporated and further this claim has limitation that is similar to those of claim 2, thus it is rejected with the same rationale applied against claim 2 above.

**Regarding to claim 19**, the rejection of claim 18 is incorporated and further this claim has limitation that is similar to those of claim 3, thus it is rejected with the same rationale applied against claim 3 above.

**Regarding to claim 20**, the rejection of claim 19 is incorporated and further this claim has limitation that is similar to those of claim 4, thus it is rejected with the same rationale applied against claim 4 above.

**Regarding to claim 21**, the rejection of claim 20 is incorporated and further this claim has limitation that is similar to those of claim 5, thus it is rejected with the same rationale applied against claim 5 above.

**Regarding to claim 22**, the rejection of claim 20 is incorporated and further this claim has limitation that is similar to those of claim 6, thus it is rejected with the same rationale applied against claim 6 above.

**Regarding to claim 23**, the rejection of claim 19 is incorporated and further this claim has limitation that is similar to those of claim 7, thus it is rejected with the same rationale applied against claim 7 above.

**Regarding to claim 27**, the rejection of claim 18 is incorporated and further this claim has limitation that is similar to those of claim 11, thus it is rejected with the same rationale applied against claim 11 above.

3. Claims 8, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marvit in view of Patterson, and further in view of Wilfong U.S. Patent 5754652 (hereinafter Wilfong).

**Regarding to claim 8**, Marvit in view of Patterson does not explicitly disclose:

- i) said secure user code entry interface contains at least one active display for entry of at least one digit of said user mask code by the user; wherein said active display illuminates or highlights at least one display digit within said active display and said user enters said at least one digit of said user mask code by a response through an input device at a response time when said at least one display digit which corresponds with said at least one digit of said user mask code is illuminated or highlighted in said active display; and
- ii) a random run on time is added to said response time to extend said at least one active display.

However, Wilfong teaches i) said secure user code entry interface contains at least one active display for entry of at least one digit of said user mask code by the user; wherein said active display illuminates or highlights at least one display digit within said active display and said user enters said at least one digit of said user mask code by a response through an input device at a response time when said at least one display digit which corresponds with said at least one digit of said user mask code is

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illuminated or highlighted in said active display (Wilfong: column 2 lines 28-41); and ii) a random run on time is added to said response time to extend said at least one active display (Wilfong: column 2 lines 28-41).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Wilfong as stated above with the secure file transfer method and system and the method of regulating access to digital content of Marvit in view Patterson for verifying user's identity by using an active display to capture the PIN number of user at a response time because the system prompts are made in such a way as not to be observable by bystanders (Wilfong: column 2 lines 32-34).

**Regarding to claim 14**, the rejection of claim 12 is incorporated and further this claim has limitations that is similar to those of claim 8, thus it is rejected with the same rationale applied against claim 8 above.

**Regarding to claim 24**, the rejection of claim 17 is incorporated and further this claim has limitations that is similar to those of claim 8, thus it is rejected with the same rationale applied against claim 8 above.

4. Claims 9, 15 and 25 are is rejected under 35 U.S.C. 103(a) as being unpatentable over Marvit in view Patterson in view of Goldfine, and further in view of Girolomo Cardano (hereinafter Grilles).

**Regarding to claim 9**, Marvit in view of Patterson in view of Goldfine does not explicitly disclose:

i) the pseudo-random string comprises a first linear array of characters, each character having a given numerical position in the first array (first, second, third etc.);

ii) the mask code comprises a second linear array of numbers, each number having a given numerical position in the second array (first, second, third etc.); and

iii) the volatile identification code is generated by applying the mask code to the pseudo-random string so as sequentially to select numerical positions in the first array on the basis of the numbers in the second array, taken in positional order, and to return the characters thereby selected from the first array in sequence so as to form a third linear array, this third linear array forming the volatile identification code.

However, Grilles teaches:

i) the pseudo-random string comprises a first linear array of characters, each character having a given numerical position in the first array (first, second, third etc.) (Grilles: "Cardano Grilles" pages 1-3);

ii) the mask code comprises a second linear array of numbers, each number having a given numerical position in the second array (first, second, third etc.) (Grilles: "Cardano Grilles" pages 1-3); and

iii) the volatile identification code is generated by applying the mask code to the pseudo-random string so as sequentially to select numerical positions in the first array on the basis of the numbers in the second array, taken in positional order, and to return the characters thereby selected from the first array in sequence so as to form a third linear array, this third linear array forming the volatile identification code (Grilles: "Cardano Grilles" pages 1-3).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have applied the teaching of Grilles into the combination of

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Marvit, Patterson and Goldfine's invention to calculate the third array by applying the first array to the second. The ordinary skilled person would have been motivated to make modification to Marvit in view of Patterson in view of Goldfine because the idea here is to mask the selection of the numerical positions of the first array on the basis of the numbers in the second array to product the third array. This method is well known in the art and it is easy to implement in C++ or Java programming environment.

**Regarding to claim 15**, the rejection of claim 13 is incorporated and further this claim has limitation that is similar to those of claim 9, thus it is rejected with the same rationale applied against claim 9 above.

**Regarding to claim 25**, the rejection of claim 18 is incorporated and further this claim has limitation that is similar to those of claim 9, thus it is rejected with the same rationale applied against claim 9 above.

### ***Response to Arguments***

5. Applicant's arguments filed 02/21/ 2006, with respect to the rejection(s) of claim(s) 1-27 under Pensak (US Patent 6289450) in view of Marvit in view of Goldfine in view of Wilfong in view of Bostley in view of Grilles been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Marvit in view of Patterson in view of Goldfine in view of Wilfong in view of Grilles.

6. The applicant has amended claims 7 and 23; therefore the examiner withdraws the 112, 2<sup>nd</sup> paragraph rejection.

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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang Doan whose telephone number is (571) 272-0740. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Trang Doan  
Examiner  
Art Unit 2131

T.D.  
May 5, 2005

CHRISTOPHER REVAK  
PRIMARY EXAMINER

*CR* 5/9/06